



U.S. Department of Justice

United States Attorney
Southern District of New York

United States District Courthouse
300 Quarropas Street
White Plains, New York 10601

October 18, 2021

BY ECF

The Honorable Nelson S. Román
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. Alberto Rivera, 21 Cr. 567 (NSR)*

Dear Judge Román:

The Government respectfully submits this letter and proposed order regarding the scheduling of an initial conference and exclusion of time in the above-referenced case.

On October 5, 2021, the defendant Alberto Rivera was arraigned on an Indictment before the Honorable Paul E. Davison, United States Magistrate Judge. Judge Davison excluded time to October 19, 2021, under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), to allow for the parties to schedule an initial conference before Your Honor. Your Honor scheduled an initial conference for October 13, 2021, which was later adjourned.

The Government respectfully requests that the Court schedule an initial conference and exclude time from October 19, 2021, until the initial pretrial conference can be re-scheduled – and, in any event, no later than 30 days from entry of the enclosed proposed order – under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The Government respectfully submits that an exclusion of time would serve the ends of justice and outweigh the best interest of the public and the defendant in a speedy trial because it would permit additional time for the parties to review discovery and discuss a pre-trial resolution.

(Continued on next page)

Due to Court calendar conflicts, the Govt's request to reschedule the telephonic Initial Appearance to Nov. 16, 2021 at 1:00 pm is granted with Defendant's consent. Clerk of Court requested to terminate the motion (doc. 31).

Dated: Nov. 8, 2021

SO ORDERED:

HON. NELSON S. ROMÁN
UNITED STATES DISTRICT JUDGE

USDC SDNY
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I have been advised by Mr. Vita that the defense consents to the foregoing request. The Government respectfully encloses a proposed order excluding time.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney
Southern District of New York

by: 
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Assistant United States Attorney
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cc: Joseph Vita, Esq. (via ECF)